

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 13 2006	
By _____	Clerk
_____	Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

ORDER OF AMENDED PARTIAL DECREE
TO CORRECT CLERICAL ERROR; I.R.C.P
60(a)

For Water Right: 65-22743

A *Partial Decree* was issued for the above-captioned water right on May 16, 2006. On July 18, 2006, the SRBA Clerk of the Court received correspondence from the United States, a party to the subcase, regarding an error to the *Partial Decree* with respect to the source element. Specifically, the source stated, "Anderson Creek Tributary: Payette River." A review of the file indicated the subcase was resolved pursuant to a *Standard Form 5 (SF-5)*. The source element in the *SF-5* provided, "Unnamed Stream Tributary: Big Willow Creek." The *Special Master's Report and Recommendation* erroneously included an additional reference to "Anderson Creek Tributary: Payette River." This error was carried over to the *Partial Decree*. The Court issued a *Notice of Court's Intent To Issue Amended Partial Decree to Correct Clerical Error; I.R.C.P. 60(a)* on July 24, 2006. A hearing was held on the Court's *Notice of Intent* on October 10, 2006. No objections were filed in opposition to the Court's proposed action. At the hearing, Paul Arrington and David Negri appeared and the United States confirmed that the claimant had been notified of the error. Hearing no objections to the proposed corrections, the Court ruled to issue this *Amended Partial Decree*.

Therefore, IT IS ORDERED that pursuant to I.R.C.P. 60(a) the *Partial Decree* previously issued for water right 65-22743 is hereby **amended and decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED: October 11, 2006.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

ORDER OF AMENDED PARTIAL DECREE TO CORRECT CLERICAL ERROR; I.R.C.P 60(a)

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 65-22743

NAME AND ADDRESS: A L CATTLE INC
PO BOX 608
EMMETT, ID 83617

SOURCE: UNNAMED STREAM TRIBUTARY: BIG WILLOW CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 01/25/1906

POINT OF DIVERSION: T10N R01W S35 NWNESE (Instream Beginning Point) Within Washington County
NENESE (Instream Ending Point)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Stockwater Within Washington County
T10N R01W S35 NESE

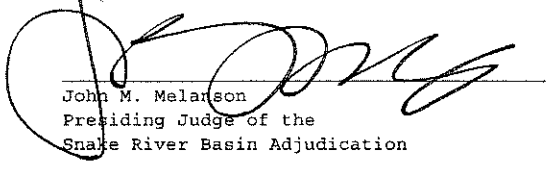
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a
determination of historical beneficial use.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

OCT 13 2006

By _____ Clerk
_____ Deputy Clerk

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREE TO CORRECT CLERICAL ERROR; I.R.C.P. 60(A) was mailed on October 13, 2006, with sufficient first-class postage to the following:

A L CATTLE INC
Represented by:
TRAVIS L THOMPSON
113 MAIN AVE W, STE 303
TWIN FALLS, ID 83301-6167
Phone: 208-733-0700

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".